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10 CENTURY INDEMNITY COMPANY, as
successor to CCI INSURANCE COMPANY,
11 as successor to INSURANCE COMPANY OF
NORTH AMERICA
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14 **UNITED STATES DISTRICT COURT**
15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

16 CENTURY INDEMNITY COMPANY, as
successor to CCI INSURANCE COMPANY, as
17 successor to INSURANCE COMPANY OF
NORTH AMERICA

18 Plaintiff,

19 v.

20 MATSON TERMINALS, INC., AND MATSON
21 NAVIGATION COMPANY, INC.,

22 Defendant.
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Attorneys for Defendants MATSON
TERMINALS, INC., and MATSON
NAVIGATION COMPANY, INC.

Case No.: 14-CV-01972

**JOINT STIPULATION FOR
DISMISSAL WITH PREJUDICE AND
(PROPOSED) ORDER THEREON**

Judge: Magistrate Laurel Beeler
Complaint Filed: April 29, 2014

1 TO THE COURT AND TO ALL PARTIES:

2 Plaintiff, Century Indemnity Company, as Successor to CCI Insurance Company, as
3 Successor to Insurance Company of North America ("Plaintiff"), and Defendants, Matson
4 Terminals, Inc., and Matson Navigation Company, Inc. ("Defendants"), hereby stipulate and jointly
5 request that this Court enter a dismissal with prejudice of Plaintiff's Complaint and Defendants'
6 Counterclaim in the above-entitled action in their entirety, pursuant to Rule 41(a)(2) of the Federal
7 Rules of Civil Procedure. Plaintiff and Defendants (collectively, "the Parties") shall bear their own
8 respective costs and attorneys' fees incurred in this action.

9 The Parties further stipulate that this Court should retain jurisdiction to enforce any disputes
10 regarding the settlement agreement of the Parties.

11 The Parties further stipulate that the Court shall vacate its order granting Defendants' partial
12 summary judgment motion (Docket No. 62, dated May 12, 2015) and order denying Plaintiff leave
13 to file a motion for reconsideration (Docket No. 65, dated July 20, 2015) (collectively "the Summary
14 Judgment Orders").

15 **IT IS SO STIPULATED.**

16 Dated: March 3, 2016

DUANE MORRIS LLP

17 By: /s/ Ray L. Wong
18 Ray L. Wong
19 Attorney for Plaintiff

20 Dated: March 3, 2016

COVINGTON & BURLING LLP

21 By: /s/ Michael S. Greenberg
22 Michael S. Greenberg
23 Attorney for Defendants
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ORDER

IT IS HEREBY ORDERED that pursuant to the foregoing stipulation, Plaintiff's Complaint and Defendants' Counterclaim in this action, Case Number 14-CV-01972, are hereby dismissed with prejudice in their entirety, with the Parties to bear their own respective costs and attorneys' fees in this action.

IT IS FURTHER ORDERED that the Court shall retain jurisdiction to enforce the settlement agreement of the Parties, and

IT IS FURTHER ORDERED that the Court's order granting Defendants' partial summary judgment motion (Docket No. 62, dated May 12, 2015) and order denying Plaintiff leave to file a motion for reconsideration (Docket No. 65, dated July 20, 2015) are hereby vacated.

IT IS SO ORDERED.

Dated: March 4, 2016



THE HONORABLE LAUREL BEELER
UNITED STATES MAGISTRATE JUDGE